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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY TO EXTEND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY IN CASA GRANDE, PINAL
COUNTY, ARIZONA.

DOCKET NO. W-01445A-03-0559

PROCEDURAL ORDER
CONTINUING HEARING AND
SETTING SCHEDULING
CONFERENCE

BY THE COMMISSION:

On July 30, 2007, the Arizona Corporation Commission ("Commission") issued Decision No. 69722. Decision No. 69722 extended the deadline for compliance with the conditions of Decision No. 66893 (April 6, 2004) to July 30, 2007, and ordered that for purposes of compliance, Arizona Water Company ("AWC") has fulfilled the conditions set forth in Decision No. 66893 for an extension to its Certificate of Convenience and Necessity ("CC&N"). Decision No. 69722 found that there may not be a current need or necessity for water service in the portions of the extension area that are owned by Cornman Tweedy 560, LLC ("Cornman"); that Cornman does not wish to have its property included in AWC's CC&N at this time; and that these issues bear further examination and may have some relevance to the best interests of the area ultimately to be served. Decision No. 69722 therefore returned this case to the Hearing Division for further proceedings regarding whether AWC should continue at this time to hold a CC&N for the area depicted in Exhibit B to that Decision (the Cornman extension area).

On September 18, 2008, a procedural order was issued setting the hearing ordered by Decision No. 69722 to commence on December 15, 2008.

On December 15, 2008, the hearing convened as scheduled, but due to the unavailability of

1 counsel for Arizona Water on that date, the parties agreed to continue the hearing to commence on
2 January 29, 2009.

3 On January 23, 2009, Cornman filed a Motion to Continue Hearing Date. Therein, Cornman
4 states that one of its witnesses will be unavailable to prepare for and attend the scheduled hearing.
5 Cornman requests that a scheduling conference be set on or after February 2, 2009, to discuss a new
6 hearing date. The Motion states that counsel for Cornman has discussed the need for a continuance
7 with counsel for Arizona Water and Staff, and that neither party opposes the requested continuance.

8 Cornman's request is reasonable and the Motion should be granted.

9 IT IS THEREFORE ORDERED that Cornman Tweedy 560, LLC's Motion to Continue
10 Hearing Date is hereby granted.

11 IT IS FURTHER ORDERED that the **hearing** in this matter **currently scheduled for**
12 **December 15, 2008, is hereby continued to a future date to be determined.**

13 IT IS FURTHER ORDERED that a **procedural conference** shall be held on **February 6,**
14 **2009, commencing at 10:00 a.m.,** or as soon thereafter as is practical, at the Commission's offices,
15 Hearing Room #1, 1200 West Washington Street, Phoenix, Arizona 85007, for the purpose of
16 determining and scheduling an appropriate hearing date.

17 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
18 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission
19 *pro hac vice*.

20 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
21 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
22 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
23 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
24 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
25 Administrative Law Judge or the Commission.

26 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
27 Communications) continues to apply to this proceeding and shall remain in effect until the
28 Commission's Decision in this matter is final and non-appealable.

IT IS FURTHER ORDERED that the time periods specified herein shall not be extended pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

Dated this 26th day of January, 2009.



TEENA WOLFE
ADMINISTRATIVE LAW JUDGE

The foregoing was mailed/delivered this 26th day of January, 2009 to:

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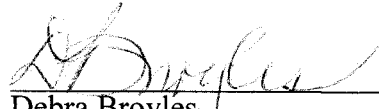
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By: 
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